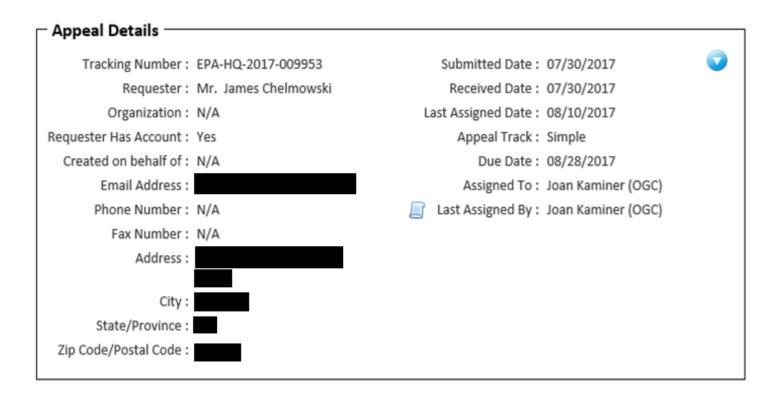
Exemption 6: Personal privacy information.

Assignment History

Event 💠	Timestamp	Performed By \$	Assigned Agency	Assigned User 💠
Create	07/30/2017 10:42 PM	James Chelmowski	EPA/HQ/OGC	
Save	08/01/2017 01:46 PM	Shirley Blair		Lynn E. Kelly
Save	08/10/2017 11:00 AM	Joan Kaminer		Joan Kaminer



Case Details —

Type of Case: FOIA Business Date of Receipt: 07/31/2017
Fiscal Year: 2017 Clock Initially Started On: 07/31/2017

Total Days Pending: 65

Case Responsive Records

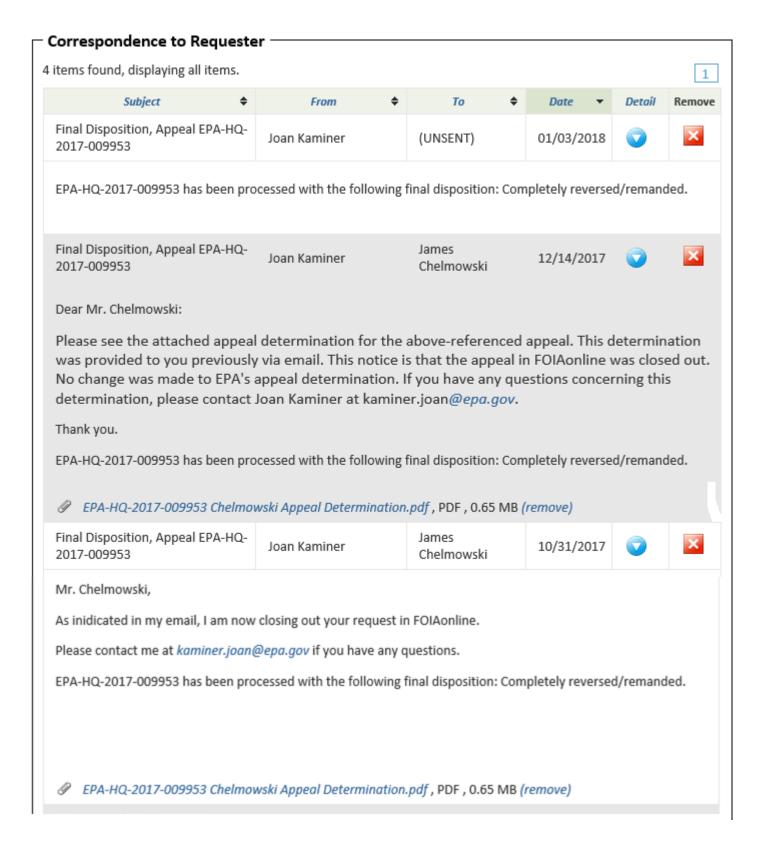
No records have been uploaded.

Appeal Handling —			
Requester Info	Yes 🗸	Appeal Received :	Yes
Available to the Public :		Received Date :	7/30/2017
Appeal Track :	Simple	Acknowledgement Sent	8/1/17
Fee Category:	N/A	Date:	
Based on Fee Waiver :		5 Day Notifications:	
Based on Expedited		Litigation :	No 🔽
Processing:			

Basis for Appeal	
Short Description :	
See Attached file for complete Appeal and exhibi	ts
II. Arguments	
Government Transparency under the FOIA 5 U.S. memos/orders, etc. 2) Estimated Fees are not detailed how many sea state EPA charges \$28 a hour for FOIA search tim 3) EPA produced a similar report on its website h modify a FOIAonline report for a smaller time soci it will not take nearly 12 hours of search time bas 4) EPA inflated fees to deny/delay/discourage reand least expensive manner" for FOIA records SE (D.D.C. Jan. 25, 2006) (recognizing that it would be	ider a denial of responsive records. EPA is required by US C. § 552, other Presidential memos/orders , Attorney General arch hours and cost for the \$275 search fees and other documents
Rasis Available to the Public : No.	Has Basis Been Modified? 1927/2000

See Attached file for complete Appeal and exhibits II. Arguments Including but not limited the following arguments of this FOIA Request or in any judicial review: 1) Fees are willfully excessive, bad faith and consider a denial of responsive records. EPA is required by US Government Transparency under the FOIA 5 U.S.C. § 552, other Presidential memos/orders , Attorney General memos/orders, etc. 2) Estimated Fees are not detailed how many search hours and cost for the \$275 search fees and other documents state EPA charges \$28 a hour for FOIA search time? 3) EPA produced a similar report on its website https://www.epa.gov/foia/all-foia-requests-pending-june-30-2017. To modify a FOIAonline report for a smaller time scope, slightly different filter of records and add a couple more columns it will not take nearly 12 hours of search time based on the EPA \$28 hourly search rate from other documents. 4) EPA inflated fees to deny/delay/discourage request release of FOIA responsive records is the not "most efficient and least expensive manner" for FOIA records SEARCH. See Hall v. CIA, No. 04-0814, 2006 WL 197462, at *3 & n.4 (D.D.C. Jan. 25, 2006) (recognizing that it would be improper for agencies to inflate fees to discourage requests) 5) EPA must provide detail explanation why it would take nearly 12 hours of EPA search time for the EPA print or export a report using FOIAonline. Searches for responsive records should be done in the "most efficient and least expensive manner." As defined by the Electronic Freedom of Information Act Amendments of 1996, the term "search" means locating records or information either "manually or by automated means". President Obama's FOIA Memorandum, 74 Fed. Reg. at 4683 (directing agencies to automatically disclose information about "what is known and done by . . . Government"). [Not Unlawfully Concealment "what is done by the Government"1

Attached Supporting Files							
	Attachments Available to the Public :	V					
	Attached File		Туре	Size (MB)	Remove		
	FOIA Appeal EPA-HQ-2017-009507.pdf		PDF	0.61	×		
- Assigned Tasks No tasks have been assigned.							
	Assigned Reviewers No reviewers have been assigned.						



Correspondence to Requester -

FOIA Appeal EPA-HQ-2017-009953 Submitted

System

James Chelmowski

07/30/2017





This message is to notify you of a new appeal submission to the FOIAonline application. Appeal information is as follows:

- Appeal Tracking Number: EPA-HQ-2017-009953
 Request Tracking Number: EPA-HQ-2017-009507
- · Requester Name: James Chelmowski
- Date Submitted: 07/30/2017
 Appeal Status: Submitted
- Description: See Attached file for complete Appeal and exhibits

II. Arguments

Including but not limited the following arguments of this FOIA Request or in any judicial review:

- Fees are willfully excessive, bad faith and consider a denial of responsive records. EPA is required by US Government Transparency under the FOIA 5 U.S.C. § 552, other Presidential memos/orders, Attorney General memos/orders, etc.
- 2) Estimated Fees are not detailed how many search hours and cost for the \$275 search fees and other documents state EPA charges \$28 a hour for FOIA search time?
- 3) EPA produced a similar report on its website https://www.epa.gov/foia/all-foia-requests-pending-june-30-2017. To modify a FOIAonline report for a smaller time scope, slightly different filter of records and add a couple more columns it will not take nearly 12 hours of search time based on the EPA \$28 hourly search rate from other documents.
- 4) EPA inflated fees to deny/delay/discourage request release of FOIA responsive records is the not "most efficient and least expensive manner" for FOIA records SEARCH. See Hall v. CIA, No. 04-0814, 2006 WL 197462, at *3 & n.4 (D.D.C. Jan. 25, 2006) (recognizing that it would be improper for agencies to inflate fees to discourage requests)
- 5) EPA must provide detail explanation why it would take nearly 12 hours of EPA search time for the EPA print or export a report using FOIAonline.

4 items found, displaying all items.

1

